

Telemarketing calls from a television or radio station is no different than a telemarketing call from a mortgage company since all those industries have attempted to use "for information purposes" as a means of calling consumers. Often mortgage companies have made calls (or send faxes) with 'information' about low mortgage rates and the ability of the consumer to refinance. The intent behind these messages is to advertise the availability of services for a particular firm.

Advertisements from television and radio stations concerning current promotions, shows, or any other gimmick are done for the purpose of increasing market share in listeners. The TV and radio stations commercially benefit since their revenue is based on the number of listeners or market share. These acts are intended to increase brand awareness and encourage listeners to tune into a particular station. There should be no exemption that would allow a TV or radio station to make calls to consumers that have already taken explicit steps to signify that they do not want such solicitations any more than a magazine should have the ability to contact consumers regarding a particular article they are printing. This is obviously done to increase newsstand sales or subscriptions for the purpose of increased market share as well which would subsequently affect their commercial revenue from advertisers.

The intention of the national DNC list is to protect consumers that do not wish to be contacted for commercial purposes. The introduction of exemptions and loopholes is detrimental to this and weakens the consumer's right to privacy. A further excuse such as an established business relationship should not be granted based solely on the chances of a user once having listened to the radio station or having previously read a newspaper or magazine. It is my concern that these entities will use such a defense, thus placing an extraordinary burden of proof on the consumer to show otherwise. An established business relationship based on the possibility of listening or reading habits. Consumers have already taken the steps to actively demonstrate their wishes concerning the receipt of commercial advertisements. The consumers right of privacy as well as their right to not be forced to support the advertising of a commercial entity (such as an EBR concerning junk faxes that will be easily abused) should not be infringed by additional loopholes and exemptions.